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Rights of the Child

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COMMITTEE ON THE RIGHTS OF THE CHILD

Thirteenth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on the
Rights of the Child: Slovenia

1. The Committee considered the initial report of Slovenia (CRC/C/8/Add.25) at its 337th to 338th meetings (see CRC/C/SR.337-338), held on 9 October 1996 and, at its 343rd meeting, held on 11 October 1996, adopted the following concluding observations.

A. Introduction

2. The Committee expresses its appreciation to the Government of Slovenia for engaging, through a multidisciplinary delegation, in an open, constructive and fruitful dialogue. It also welcomes the submission of its initial report as well as the very detailed additional information provided to the Committee in written form. The Committee is encouraged by the frank and cooperative tone of the discussion, in which the representatives of the State party indicated not only the policy and programme directions, but also the difficulties encountered in the implementation of the Convention.

B. Positive aspects

3. The Committee notes with appreciation the steps taken by the Government to promote democracy and human rights in society, including through constitutional provisions. In this regard, it welcomes the introduction in the 1991 Constitution of a specific chapter on human rights and basic

freedoms, within which the rights of the child are also defined. The Committee is also encouraged by the recent adoption, in the light of the Convention, of new legislation concerning education, health and social security. It also takes note of the recent publication of the White Paper on Education (1996).

4. The Committee welcomes the recent establishment of the Commission on Child Abuse. It is also encouraged by the establishment of the Human Rights Ombudsman whose task is to safeguard human rights, including children's rights.

5. The Committee welcomes the adoption in 1995 of the National Plan of Action for the Survival, Protection and Development of Children (NPA). It also notes that the Convention has been translated into the Slovenian language and that the State party is making efforts to disseminate materials to promote this treaty.

6. The Committee welcomes the willingness of the Government to collaborate with non-governmental organizations. It is encouraged by the openness of the State party's authorities to involving non-governmental organizations in the process of reporting to the Committee.

7. The Committee is encouraged by the initiatives taken by the State party to promote children's rights through the organization of events, the publication of materials and the production of television programmes. In this regard, the Committee welcomes, inter alia, the establishment of a national children's parliament, which has already had six sessions, and the existence of "Youth Councils and Child Mayors" meetings.

C. Factors and difficulties impeding the implementation of the Convention

8. The Committee recognizes the difficulties faced by the State party in the present period of political transition. It also notes that the State party's transition to a market-oriented economy has had a serious impact on the population in particular on all vulnerable groups, including children, in the form of increased unemployment and criminality.

9. The Committee also notes the problems experienced as a consequence of war in the region. Although Slovenia was only involved in direct combat for a short time, since 1991 the State party has hosted a large number of refugees, including children.

D. Principal subjects of concern

10. The Committee is of the view that the reservation made by the State party to article 9, paragraph 1, raises questions about its compatibility with the principles and provisions of the Convention, including the principle of the best interests of the child.

11. While welcoming the existence of government bodies and the creation of new ones, that are competent to deal with the welfare of children at the national and local levels, the Committee expresses its concern that effective coordination must be established among them in order to develop a comprehensive approach to the implementation of the Convention.

12. The Committee is concerned at the lack of an integrated and systematic monitoring mechanism for all areas covered by the Convention, and in relation to all groups of children, especially those affected by the consequences of the economic transition. The Committee also encourages the State Party to strengthen its existing data and statistical capacity to evaluate progress achieved and to assess the impact of policies adopted on children, in particular the most vulnerable groups of children.

13. With regard to article 2 of the Convention, the Committee notes with concern that the principle of non-discrimination is not fully implemented for disabled children.

14. The Committee is concerned that the transition to a market economy may threaten the full enjoyment by children of their rights as recognized by the Convention. It is also worried about the insufficient level of support given to single parent families.

15. The Committee is concerned that children dropping out of school during the compulsory stage of education have insufficient alternative educational programmes, such as vocational training.

16. The Committee is concerned that appropriate measures have not yet been taken to prevent and combat effectively ill-treatment of children within the family and that insufficient information exists on this matter.

17. The Committee is concerned that society is not sufficiently sensitive to the needs and situation of particularly vulnerable children, such as Roma children.

18. The Committee is concerned that in some specific cases the rights of children may not be fully taken into account in intercountry adoption procedures.

19. The situation in relation to the administration of juvenile justice and in particular its compatibility with articles 37, 39 and 40 of the Convention, as well as other relevant standards such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, is a matter of concern to the Committee. The Committee is particularly worried about the low age set for criminal responsibility, and the length of preliminary investigation and of pre-trial detention.

E. Suggestions and recommendations

20. The Committee takes note of the statement made by the delegation that the reservation on article 9, paragraph 1 made by Slovenia upon ratification

of the Convention may be reviewed, with a view to its eventual withdrawal. It wishes to encourage the State party to consider withdrawing this reservation to the Convention, and would like to be kept informed of developments on this matter.

21. The Committee recommends that the State party strengthen mechanisms to enhance the coordination of governmental policies, as well as those of central and local authorities, in the field of children's rights, with a view to eliminating possible disparities or discrimination in the implementation of the Convention and ensuring that the Convention is fully respected in all parts of Slovenia.

22. The Committee encourages the State party to pursue and further develop its policy aimed at disseminating information and at increasing awareness of the Convention. It also urges the authorities to integrate the Convention and children's rights into the training curricula of professional groups dealing with children, such as teachers, law enforcement and correctional officials, judges, social workers and health personnel, and into the school and university curricula.

23. The Committee recommends that the State party take all appropriate measures to reduce school drop-out by, inter alia, promoting vocational training and alternative educational programmes.

24. In the difficult period of transition to a market economy, the Committee encourages the State Party to take all appropriate measures to maintain and strengthen the full enjoyment of the rights of children, particularly with a view to ensuring the allocation of available resources to their maximum extent for the implementation of the economic, social and cultural rights in the light of the principles of non-discrimination and the best interests of the child.

25. In the light of article 19 of the Convention, the Committee further recommends that the Government take all appropriate measures, including legislative ones, to combat ill-treatment within the family and sexual abuse of children. It suggests that the authorities gather information and initiate a comprehensive study to improve understanding of the nature and scope of the problem and set up social programmes to prevent all types of child abuse.

26. In relation to intercountry adoption, the State party is encouraged to ratify the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993.

27. In the field of juvenile justice, the Committee recommends that the State party raise the minimum age of criminal responsibility and take all appropriate measures to reduce the length of preliminary investigation and of pre-trial detention.

28. Finally, in the light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies presented by Slovenia be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention, its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.

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